1-5. (canceled).

6. (previously presented) A packet transmitting method comprising the steps of:

independently controlling a packet order and a packet flow rate in a transmission terminal on a packet network; and

carrying out bandwidth guaranteeing for a plurality of flows,

wherein the packet order is controlled by software in an application layer and the packet flow rate is controlled in a data link layer by hardware, and

wherein a time necessary for a packet transmission is calculated in the application layer, and a packet is passed together with the calculated time for packet transmission to the data link layer where packet flow rate is controlled based on the calculated time for packet transmission.

7. (previously presented) A packet transmission apparatus for transmitting a plurality of flows onto a packet network by carrying out bandwidth guaranteeing, comprising:

scheduling means for controlling an order of packets; and

shaping means for controlling a flow rate of packets,

wherein bandwidth guaranteeing is carried out for the plurality of flows by independently controlling a packet order and a packet flow rate,

wherein the scheduling means controls the order of packets by software in an application layer, and

wherein the shaping means controls the flow rate of packets in a data link layer by hardware, and

wherein a time necessary for a packet transmission is calculated in the application layer, and a packet is passed together with the calculated time for packet transmission to the data link layer where packet flow rate is controlled based on the calculated time for packet transmission.

8-11. (canceled).